

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2846

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## AN ACT

To require the collection of voluntary customer service feedback on services provided by agencies, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Agency Customer Experience Act of 2018”.

4 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

5 (a) FINDINGS.—Congress finds that—

6 (1) the Federal Government serves the people  
7 of the United States and should seek to continually  
8 improve public services provided by the Federal Government based on customer feedback;

10 (2) the people of the United States deserve a  
11 Federal Government that provides efficient, effective,  
12 and high-quality services across multiple channels;

14 (3) many agencies, offices, programs, and Federal  
15 employees provide excellent service to individuals,  
16 however many parts of the Federal Government still fall short on delivering the customer service  
17 experience that individuals have come to expect  
18 from the private sector;

20 (4) according to the 2016 American Customer  
21 Satisfaction Index, the Federal Government ranks  
22 among the bottom of all industries in the United  
23 States in customer satisfaction;

24 (5) providing quality services to individuals improves the confidence of the people of the United  
25

1 States in their government and helps agencies  
2 achieve greater impact and fulfill their missions; and

3 (6) improving service to individuals requires  
4 agencies to work across organizational boundaries,  
5 leverage technology, collect and share standardized  
6 data, and develop customer-centered mindsets and  
7 service strategies.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that all agencies should strive to provide high-qual-  
10 ity, courteous, effective, and efficient services to the people  
11 of the United States and seek to measure, collect, report,  
12 and utilize metrics relating to the experience of individuals  
13 interacting with agencies to continually improve services  
14 to the people of the United States.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) ADMINISTRATOR.—The term “Adminis-  
18 trator” means the Administrator of General Serv-  
19 ices.

20 (2) AGENCY.—The term “agency” has the  
21 meaning given the term in section 3502 of title 44,  
22 United States Code.

23 (3) COVERED AGENCY.—The term “covered  
24 agency” means an agency or component of an agen-

1 cy that is designated as a “covered agency” pursu-  
2 ant to section 5(a).

3 (4) DIRECTOR.—The term “Director” means  
4 the Director of the Office of Management and Budg-  
5 et.

6 (5) VOLUNTARY CUSTOMER SERVICE FEED-  
7 BACK.—The term “voluntary customer service feed-  
8 back” means a response to a collection of informa-  
9 tion conducted by a covered agency in accordance  
10 with this Act.

11 **SEC. 4. APPLICATION OF CERTAIN PROVISIONS OF THE PA-**  
12 **PERWORK REDUCTION ACT TO COLLECTION**  
13 **OF VOLUNTARY CUSTOMER SERVICE FEED-**  
14 **BACK.**

15 Sections 3506(c) and 3507 of title 44, United States  
16 Code (provisions of what is commonly known as the “Pa-  
17 perwork Reduction Act”) shall not apply to a collection  
18 of voluntary customer service feedback.

19 **SEC. 5. GUIDELINES FOR VOLUNTARY CUSTOMER SERVICE**  
20 **FEEDBACK.**

21 (a) EVALUATION AND DESIGNATION.—The Director  
22 shall assess agencies, agency components, and agency pro-  
23 grams to identify which have the highest impact on or  
24 number of interactions with individuals or entities. Based  
25 on the assessment, the Director shall designate agencies,

1 agency components, or programs as covered agencies for  
2 purposes of this Act.

3 (b) GUIDANCE.—The Director shall issue guidance  
4 that requires each covered agency that solicits voluntary  
5 customer service feedback to ensure that—

6 (1) any response to the solicitation of voluntary  
7 customer service feedback remains anonymous, the  
8 collection method does not include a request for or  
9 opportunity for the respondent to provide informa-  
10 tion that could identify such respondent, and any re-  
11 sponse is not traced to a specific individual or entity;

12 (2) any individual or entity who declines to par-  
13 ticipate in the solicitation of voluntary customer  
14 service feedback shall not be treated differently by  
15 the agency for purposes of providing services or in-  
16 formation;

17 (3) the solicitation does not include more than  
18 10 questions;

19 (4) the voluntary nature of the solicitation is  
20 clear;

21 (5) the collection of voluntary customer service  
22 feedback is only used to improve customer service  
23 and will not be used for any other purpose;

1           (6) any solicitation of voluntary customer serv-  
2           ice feedback is limited to 1 solicitation per inter-  
3           action with an individual or entity;

4           (7) to the extent practicable, the solicitation of  
5           voluntary customer service feedback is made at the  
6           point of service with an individual or entity;

7           (8) any instrument for collecting voluntary cus-  
8           tomer service feedback is accessible to individuals  
9           with disabilities in accordance with section 508 of  
10          the Rehabilitation Act of 1973 (29 U.S.C. 794d);  
11          and

12          (9) internal agency data governance policies re-  
13          main in effect with respect to the collection of vol-  
14          untary customer service feedback from any indi-  
15          vidual or entity.

16 **SEC. 6. CUSTOMER EXPERIENCE DATA COLLECTION.**

17          (a) COLLECTION OF RESPONSES.—The head of each  
18          covered agency (or a designee), assisted by and in con-  
19          sultation with the Performance Improvement Officer or  
20          other senior accountable official for customer service of  
21          the covered agency, shall collect voluntary customer serv-  
22          ice feedback with respect to any service of or transaction  
23          with the covered agency that has been identified by the  
24          Director, in consultation with the Administrator, in ac-

1 cordance with the guidance issued by the Director under  
2 section 5.

3 (b) CONTENT OF QUESTIONS.—

4 (1) STANDARDIZED QUESTIONS.—The Director,  
5 in consultation with the Administrator, shall develop  
6 a set of standardized questions for use by each covered  
7 agency in collecting voluntary customer service  
8 feedback under this section that address—

9 (A) overall satisfaction of individuals or  
10 entities with the specific interaction or service  
11 received;

12 (B) the extent to which individuals or enti-  
13 ties were able to accomplish their intended task  
14 or purpose;

15 (C) whether the individual or entity was  
16 treated with respect and professionalism;

17 (D) whether the individual or entity be-  
18 lieves they were served in a timely manner; and

19 (E) any additional metrics as determined  
20 by the Director, in consultation with the Ad-  
21 ministrator.

22 (2) ADDITIONAL QUESTIONS.—In addition to  
23 the questions developed pursuant to paragraph (1),  
24 the Director shall consult with the Performance Im-  
25 provement Council to develop additional questions

1 relevant to the operations or programs of covered  
2 agencies.

3 (c) ADDITIONAL REQUIREMENTS.—To the extent  
4 practicable—

5 (1) each covered agency shall collect voluntary  
6 customer service feedback across all platforms or  
7 channels through which the covered agency interacts  
8 with individuals or other entities to deliver informa-  
9 tion or services; and

10 (2) voluntary customer service feedback col-  
11 lected under this section shall be tied to specific  
12 transactions or interactions with customers of the  
13 covered agency.

14 (d) REPORTS.—

15 (1) ANNUAL REPORT TO THE DIRECTOR.—

16 (A) IN GENERAL.—Not later than 1 year  
17 after the date of the enactment of this Act, and  
18 not less frequently than annually thereafter,  
19 each covered agency shall publish on the  
20 website of the covered agency and submit to the  
21 Director, in a manner determined by the Direc-  
22 tor—

23 (i) a report that includes—

24 (I) the voluntary customer serv-  
25 ice feedback for the previous year; and



1 (II) descriptions of how the cov-  
2 ered agency has used and plans to use  
3 such feedback; and

4 (ii) a machine readable dataset that  
5 includes—

6 (I) the the standardized ques-  
7 tions or additional questions described  
8 in subsection (b) and the response  
9 choices for such questions; and

10 (II) the response rate for each  
11 collection of voluntary customer serv-  
12 ice feedback for the previous year.

13 (B) CENTRALIZED WEBSITE.—The Direc-  
14 tor shall—

15 (i) include and maintain on a publicly  
16 available website links to the information  
17 provided on the websites of covered agen-  
18 cies under subparagraph (A); and

19 (ii) for purposes of clause (i), estab-  
20 lish a website or make use of an existing  
21 website, such as the website required under  
22 section 1122 of title 31, United States  
23 Code.

24 (2) AGGREGATED REPORT.—Each covered  
25 agency shall publish in an electronic format and up-

1 date on a regular basis an aggregated report on the  
2 solicitation and use of voluntary customer service  
3 feedback, which shall include—

4 (A) the intended purpose of each sollicita-  
5 tion of voluntary customer service feedback con-  
6 ducted by the covered agency;

7 (B) the appropriate point of contact within  
8 each covered agency for each solicitation of vol-  
9 untary customer service feedback conducted;

10 (C) the questions or survey instrument  
11 submitted to members of the public as part of  
12 the solicitation of voluntary customer service  
13 feedback; and

14 (D) a description of how the covered agen-  
15 cy uses the voluntary customer service feedback  
16 received by the covered agency to improve the  
17 customer service of the covered agency.

18 **SEC. 7. CUSTOMER EXPERIENCE SCORECARD REPORT.**

19 (a) IN GENERAL.—Not later than 15 months after  
20 the date on which all covered agencies have submitted the  
21 first annual reports to the Director required under section  
22 6(d)(1), and every 2 years thereafter until the date that  
23 is 10 years after such date, the Comptroller General of  
24 the United States shall make publicly available and submit  
25 to the Committee on Homeland Security and Govern-

1 mental Affairs of the Senate and the Committee on Over-  
2 sight and Government Reform of the House of Represent-  
3 atives a scorecard report assessing the data collected and  
4 reported by the covered agencies and each instrument used  
5 to collect voluntary customer service feedback.

6 (b) CONTENTS.—The report required under sub-  
7 section (a) shall include—

8 (1) a summary of the information required to  
9 be published by covered agencies under section 6(d);

10 (2) a description of how each covered agency  
11 plans to use and has used the voluntary customer  
12 service feedback received by the covered agency; and

13 (3) an evaluation of each covered agency’s com-  
14 pliance with this Act.

15 **SEC. 8. SENSE OF CONGRESS.**

16 It is the sense of Congress that adequate Federal  
17 funding is needed to ensure agency staffing levels that can  
18 provide the public with appropriate customer service lev-  
19 els.

Passed the House of Representatives November 29,  
2018.

Attest:

*Clerk.*

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